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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,617	02/27/2004	Rolf Breuer	RBreuer001	1203
7590 09/04/2007 Rolf Breuer 10356 North Portal Avenue Cupertino, CA 95014			EXAMINER MOORTHY, ARAVIND K	
			ART UNIT 2131	PAPER NUMBER
			MAIL DATE 09/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/789,617	BREUER, ROLF	
	Examiner	Art Unit	
	Aravind K. Moorthy	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>see attachment</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the communications filed on 9 June 2004.
2. Claims 1-47 are pending in the application.
3. Claims 1-47 have been rejected.

Specification

4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract exceeds the 150-word limit.

Information Disclosure Statement

5. The examiner has considered the information disclosure statement filed on 27 February 2004.

Claim Objections

6. Claims 16, 22-24, 26, 37, 41-45 and 47 objected to because of the following informalities: labeling of steps in method. The applicant has not provided sequential steps in the dependent claims. The applicant has restarted the steps at step A) in the dependent claims rather than continuing the steps from where the independent claims left off. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al US 2004/0131188 A1 in view of Elliott U.S. Patent No. 7,158,790 B1.

As to claims 1 and 17, Wang et al discloses a system for controlling access to files and application programs on a personal computing device, comprising:

A) a personal locking device comprising a 1st wireless data communication device, the 1st wireless data communication device having a 1st unique identifier associated therewith and having a capability to establish a wireless data link by a wireless communications protocol [0020]; and

B) a 2nd wireless data communication device integrated into or attached to the personal computing device, the 2nd wireless data communication device having a 2nd unique identifier associated therewith and having a capability to establish a wireless data link by the wireless communications protocol [0020];

wherein the 1st and 2nd wireless data communication devices are configured to establish a wireless data link to each other based upon an exchange of the 1st and 2nd unique identifiers [0023], and

Wang et al does not teach that the 2nd wireless data communication device is configured to monitor the quality of service of the wireless link and send a message to the personal computing device when the quality of service falls below a predetermined threshold.

Elliott teaches a wireless device that is configured to monitor the quality of service of the wireless link and send a message to the personal computing device when the quality of service falls below a predetermined threshold [column 7, lines 16-41].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Wang et al so that the second wireless device would have been configured to monitor the quality of service of the wireless link and send a message to the personal computing device when the quality of service falls below a predetermined threshold.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Wang et al by the teaching of Elliott because it helps improve the service coverage of wireless networks [column 2, lines 33-37].

As to claim 2, Wang et al teaches that the personal computing device is selected from the group consisting of: notebook computers, desktop computers, tablet PC computers, server computers, personal digital assistants, and PocketPCs [0017].

As to claim 3, Wang et al teaches that the wireless data communication devices are radio frequency communication devices, the wireless data link is a radio frequency data link, and the wireless communications protocol is a radio frequency communications protocol [0018].

As to claim 6, Wang et al teaches that the personal locking device is selected from the group consisting of: cell phones, Smartphones, Pocket PC portable computers, and personal digital assistants (PDAs).

As to claim 10, Wang et al teaches that the personal locking device additionally comprises a user input means for sending a message to the 2nd wireless communications device [0020].

As to claim 11, Wang et al teaches that the user input means is selected from the group consisting of: a button, a switch, a dial, a touchpad, a keyboard, and a fingerprint sensor [0020].

As to claim 12, Wang et al teaches that the message is a message that requests the personal computing device to go into a locked state in which access to its files and application programs is prohibited or restricted [0023-0025].

As to claim 13, Wang et al teaches that the message is a message that requests the personal computing device to go into an unlocked state [0023-0025].

As to claim 14, Wang et al teaches that the message is a message that requests the personal computing device to go into an unlocked state upon receipt of a user input at the personal computing device [0023-0025].

As to claim 15, Wang et al teaches that the user input comprises a correct personal access code (PAC) or inputs at the keyboard or mouse associated with the personal computing device [0019].

As to claim 16, Wang et al teaches an access control software program installed on the personal computing device, the software program comprising:

A) a means to configure the 1st and 2nd wireless communication devices to establish the wireless link between them [0020-0022];

B) a means to receive messages from the 2nd wireless communication device [0020-0022]; and

C) a means to place, in response to a message from the 2nd wireless communication device, the personal computing device in a locked state in which access to its files and application programs is prohibited or restricted [0020-0022].

As to claim 18, Wang et al teaches that the software program additionally comprises a means to place, in response to a message from the 2nd wireless communication device, the personal computing device in an unlocked state [0023-0025].

As to claim 19, Wang et al teaches that the software program additionally comprising a means to place, in response to a message from the 2nd wireless communication device and a user input to the personal computing device, the personal computing device in an unlocked state [0023-0025].

As to claim 20, Wang et al teaches that the user input comprises a correct personal access code (PAC) or inputs at the keyboard or mouse associated with the personal computing device [0019].

As to claims 21, 23-26 and 43, Wang et al discloses providing a personal locking device comprising a 1st wireless data communication device, the 1st wireless data communication device having a 1st unique identifier associated therewith and having a capability to establish a

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wireless data link by a wireless communications protocol [0020]. Wang et al discloses positioning the personal locking device in the operating space of the personal computing device [0020]. Wang et al discloses providing a 2nd wireless data communication device integrated into or attached to the personal computing device, the 2nd wireless data communication device having a 2nd unique identifier associated therewith and having a capability to establish a wireless data link by the wireless communications protocol [0020]. Wang et al discloses configuring the 1st and 2nd wireless data communication devices to establish a wireless data link to each other based upon an exchange of the 1st and 2nd unique identifiers, thereby authorizing the personal locking device for the personal computing device [0023]. Wang et al discloses detecting user input comprises detecting keystrokes at the keyboard or movement or clicking at the mouse associated with the personal computing device [0023-0025]. Wang et al discloses positioning a personal locking device in the operating space of the personal computing device [0023-0025]. Wang et al discloses determining whether the personal locking device is an authorized personal locking device for the computing device [0023-0025]. Wang et al discloses establishing a wireless data link between the 2nd wireless data communication device and the wireless data communication device of the personal locking device [0023-0025]. Wang et al discloses requesting a user to input a personal access code [0023-0025]. Wang et al discloses receiving the user input. Wang et al discloses comparing the user input to the personal access code that is stored in the personal computing device [0023-0025]. Wang et al discloses placing the personal computing device in an unlocked state if there is a match between the input and the stored personal access code [0023-0025].

Wang et al does not teach E) configuring the 2nd wireless data communication device to monitor the quality of service of the wireless link and send a message to the personal computing device when the quality of service falls below a predetermined threshold. Wang et al does not teach F) establishing the wireless data link. Wang et al does not teach G) monitoring the quality of service of the wireless data link. Wang et al does not teach H) sending the message when the quality of service falls below the predetermined threshold.

Elliott teaches a wireless device that is configured to monitor the quality of service of the wireless link and send a message to the personal computing device when the quality of service falls below a predetermined threshold [column 7, lines 16-41].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Wang et al so that the second wireless device would have been configured to monitor the quality of service of the wireless link and send a message to the personal computing device when the quality of service falls below a predetermined threshold.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Wang et al by the teaching of Elliott because it helps improve the service coverage of wireless networks [column 2, lines 33-37].

As to claim 22, Wang et al teaches the method additionally comprising the steps of:

- A) requesting a user to establish a personal access code (PAC) [0023-0025];
- B) receiving the code and associating the code with the wireless link [0023-0025]; and

C) storing the code in the personal computing device [0023-0025].

As to claim 27, Wang et al teaches that the personal computing device is selected from the group consisting of: notebook computers, desktop computers, tablet PC computers, server computers, personal digital assistants, and PocketPCs [0017].

As to claim 28, Wang et al teaches that the wireless data communication devices are radio frequency communication devices, the wireless data link is a radio frequency data link, and the wireless communications protocol is a radio frequency communications protocol [0020].

As to claim 31, Wang et al teaches that the personal locking device is selected from the group consisting of: cell phones, Smartphones, Pocket PC portable computers, and personal digital assistants (PDAs) [0017].

As to claim 35, Wang et al teaches that the personal locking device additionally comprises a user input means for sending messages to the 2nd wireless communications device [0023-0025].

As to claim 36, Wang et al teaches that the user input means is selected from the group consisting of: a button, a switch, a dial, a touchpad, a keyboard, and a fingerprint sensor [0023-0025].

As to claim 37, Wang et al teaches the additionally comprising the steps of:

A) sending a message requesting the personal computing device to go into a locked state in which access to its files and application programs is prohibited or restricted [0023-0025]; and

B) placing the personal computing device in a locked state [0023-0025].

As to claim 38, Wang et al teaches the method additionally comprising the steps of:

 sending a message requesting the personal computing device to go into an unlocked state [0023-0025]; and

 placing the personal computing device in an unlocked state [0023-0025].

As to claim 39, Wang et al teaches that the method additionally comprising the steps of:

 sending a message requesting the personal computing device to go into an unlocked state [0023-0025];

 receiving a user input at the personal computing device; and placing the personal computing device in an unlocked state upon receipt of the message and the user input [0023-0025].

As to claim 40, Wang et al teaches that the step of receiving user input comprises detecting keystrokes at the keyboard or movement or clicking of the mouse associated with the personal computing device [0023-0025].

As to claim 41, Wang et al teaches the method additionally comprising the steps of:

 A) sending a message requesting the personal computing device to go into an unlocked state [0023-0025];

 B) requesting a user to input a personal access code [0023-0025];

 C) receiving the users input [0023-0025];

 D) comparing the input to the personal access code that is stored in the personal computing device [0023-0025]; and

 E) placing the personal computing device in an unlocked state if there is a match between the input and the stored personal access cod [0023-0025]e.

As to claim 42, Wang et al teaches the method additionally comprising the steps of:

A) installing an access control software program on the personal computing device [0020];

B) using the program to configure the 1st and 2nd wireless communication devices to establish the wireless link between them [0020];

C) using the program to receive messages from the 2nd wireless communication device [0020]; and

D) using the program to place, in response to a message from the 2nd wireless communication device, the personal computing device in a locked state in which access to its files and application programs is prohibited or restricted [0023-0025].

As to claim 44, Wang et al teaches the method additionally comprising the steps of:

A) using the program to receive a message from the 2nd wireless communication device [0023-0025]; and

B) placing the personal computing device in an unlocked state upon receipt of the message [0023-0025].

As to claim 45, Wang et al teaches the method additionally comprising the steps of:

A) using the program to receive a message from the 2nd wireless communication device [0023-0025];

B) using the program to receive user inputs to the personal computing device [0023-0025];

C) using the program to place, in response to the message and the user input, the personal computing device in an unlocked state [0023-0025].

As to claim 46, Wang et al teaches that the step of receiving user inputs comprises the step of detecting keystrokes at the keyboard or movement or clicking of the mouse associated with the personal computing device [0023-0025].

As to claim 47, Wang et al teaches the method additionally comprising the steps of:

A) using the program to receive a message from the 2nd wireless communication device [0020-0022];

B) requesting a user to input a personal access code [0020-0022];

C) receiving the user input [0020-0022];

D) comparing the user input to the personal access code that is stored in the personal computing device [0020-0022]; and

E) placing the personal computing device in an unlocked state if there is a match between the input and the stored personal access code [0020-0022].

8. Claims 4, 5, 7-9, 29, 30 and 32-34 rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al US 2004/0131188 A1 and Elliott U.S. Patent No. 7,158,790 B1 as applied to claims 1 and 21 above, and further in view of Nordman et al U.S. Patent No. 7,194,760 B2.

As to claims 4, 5, 7-9, 29, 30 and 32-34, the Wang-Elliott combination does not teach that the wireless data communication devices are Bluetooth data communication devices, the wireless data link is a Bluetooth data link, the wireless communications protocol is the Bluetooth communications protocol (IEEE 802.15), and the unique identifiers are Bluetooth device identification numbers that are uniquely assigned to each Bluetooth radio. The Wang-Elliott combination does not teach that the

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2nd Bluetooth data communication device comprises a Bluetooth radio integrated into the personal computing device or a Bluetooth dongle that is attached to a port of the personal computing device. The Wang-Elliott combination does not teach that the 1st Bluetooth data communication device comprises a Bluetooth radio module. The Wang-Elliott combination does not teach that the 1st Bluetooth data communication device additionally comprises a microcontroller and a software installed on the microcontroller for controlling the Bluetooth radio module. The Wang-Elliott combination does not teach that the 1st Bluetooth data communication device additionally comprises a software program for controlling the Bluetooth radio module.

Nordman et al teaches wireless data communication devices that are Bluetooth data communication devices, the wireless data link is a Bluetooth data link, and the wireless communications protocol is the Bluetooth communications protocol (IEEE 802.15) [column 9 line 53 to column 12 line 30]. Nordman et al teaches that the 2nd Bluetooth data communication device comprises a Bluetooth radio integrated into the personal computing device [column 9 line 53 to column 12 line 30]. Nordman et al teaches that the 1st Bluetooth data communication device comprises a Bluetooth radio module [column 9 line 53 to column 12 line 30]. Nordman et al teaches that the 1st Bluetooth data communication device additionally comprises a microcontroller and a software installed on the microcontroller for controlling the Bluetooth radio module [column 9 line 53 to column 12 line 30]. Nordman et al teaches that the 1st Bluetooth data communication device additionally comprises a software program for controlling the Bluetooth radio module [column 9 line 53 to column 12 line 30].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified the Wang-Elliott combination so that the wireless data

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communication devices would have been Bluetooth data communication devices. The wireless data link would have been a Bluetooth data link. The wireless communications protocol would have been the Bluetooth communications protocol (IEEE 802.15). The unique identifiers would have been Bluetooth device identification numbers that were uniquely assigned to each Bluetooth radio. The 2nd Bluetooth data communication device would have comprised a Bluetooth radio integrated into the personal computing device. The 1st Bluetooth data communication device would have comprised a Bluetooth radio module. The 1st Bluetooth data communication device would have additionally comprised a microcontroller and a software installed on the microcontroller for controlling the Bluetooth radio module. The 1st Bluetooth data communication device would have additionally comprised a software program for controlling the Bluetooth radio module.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified the Wang-Elliott combination by the teaching of Nordman et al because Bluetooth is a global de facto standard for wireless connectivity, which is based on a low-cost, short-range radio link [column 1, lines 13-15].


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Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Aravind K Moorthy 
August 29, 2007


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